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IN THE CLAIMS

Please amend the claims as follows:

1. (currently amended) An optical head for use in scanning a record carrier, the record carrier having data stored on data tracks therein on a plurality of information layers (3, 4) at a plurality of depths within the record carrier, wherein the optical head comprises:

a movable optical element (16) arranged in an optical path to act upon a first radiation beam (12) and a second radiation beam (14) to provide the beams with a different displacement perpendicular to the optical path; and

a lens system for focusing said first beam (12) at a first focal point (A) on a first information layer (3) of the record carrier and the focusing of the second beam (14) at a second different focal point (B) on a second information layer (4),

wherein a spacing, transverse to the data tracks, between said first and second focal points (A, B) is ~~controllable~~ controlled by varying the configuration of the movable optical element (16) during scanning by said optical head of different information layers (3, 4) of the record carrier simultaneously using the first and second beams (12, 14).

2. (original) An optical head according to claim 1, wherein the head is adapted to scan different information layers (3, 4) of the record carrier simultaneously using the first and second beams (12, 14).

3. (original) An optical head according to claim 1 or 2, wherein the movable optical element (16) is adapted to be rotated (18) about the optical path to obtain various configuration states.
4. (currently amended) An optical head according to ~~any preceding claim~~ claim 1, wherein said movable optical element (16) comprises a polarization dependent optical element.
5. (original) Apparatus according to claim 4, wherein the movable optical element (16) comprises a Wollaston prism.
6. (original) An optical head according to claim 4 or 5, wherein the first beam (12) is substantially orthogonally polarized with respect to the second beam (14).
7. (new) An optical head according to claim 2, wherein said movable optical element (16) comprises a polarization dependent optical element.
8. (new) Apparatus according to claim 7, wherein the movable optical element (16) comprises a Wollaston prism.
9. (new) An optical head according to claim 7 or 8, wherein the first beam (12) is substantially orthogonally polarized with respect to the second beam (14).
10. (new) An optical head according to claim 3, wherein said movable optical element (16) comprises a polarization dependent optical element.

11. (new) Apparatus according to claim 10, wherein the movable optical element (16) comprises a Wollaston prism.

12. (new) An optical head according to claim 10 or 11, wherein the first beam (12) is substantially orthogonally polarized with respect to the second beam (14).